

HIBINO et al.
Appl. No. 09/810,175
December 2, 2003

REMARKS

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested.

Claims 1-10, and 17-20 are now pending.

It is noted that a Power of Attorney in favor of the undersigned was filed on March 4, 2002. However, the Office Action of September 3, 2003, was forwarded to the prior Attorney of Record. For the Examiner's information and reference, another copy of the Power of Attorney originally filed March 4, 2002 is attached. Also a correspondence address indication form is attached. All further correspondence should be directed to the office of the undersigned.

It is noted that the Examiner's Form PTO-326 indicated that all certified copies of the priority documents have been received. According to the filing request filed by the prior attorneys of record, certified copies of the priority documents were not filed with this application on March 19, 2001. However, the postcard receipt that accompanied the filing request indicated that three priority documents were submitted. Because there are only two priority applications and because the filing request does not indicate that the certified copies were in fact filed, certified copies of the priority documents are submitted herewith. If certified copies were previously received in this case it is respectfully requested that the Examiner confirm whether those priority documents indeed correspond to the priority claim made in this case. If not, it is respectfully requested that the undersigned be contacted so that the case in which those priority documents should have been filed can be determined with certainty.

Formal drawings are submitted herewith. It is respectfully requested that the herewith formal drawings be substituted for the drawings originally filed in this case.

Applicant notes with appreciation the Examiner's indication that claims 4, 5, and 7-9 contain allowable subject matter. Claim 1 has been amended above to incorporate the

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allowable limitations of claim 5 and intervening claim 3 and claims 3 and 5 have been canceled accordingly. The dependencies of the remaining claims have been revised as appropriate in view of the cancellation of claims 3 and 5. Further, new independent claim 17 has been added which corresponds to original claim 8 represented in independent form so as to be a combination of original claims 1, 6 and 8. Original claims 6 and 8 have been canceled accordingly. New dependent claims 18-20 have been added. These new dependent claims correspond to certain of the original dependent claims but depend from new independent claim 17.

Claims 1-3, 6, 10-12, and 14-16 were rejected under 35 §102(b) as anticipated by Fukaya et al. Further, claim 13 was rejected under 35 USC §103(a) as unpatentable over Fukaya. Applicant respectfully traverses these rejections. However, to advance prosecution, claim 1 has been amended to incorporate the allowable limitations of dependent claim 5 and new independent claim 17 presents the allowable subject matter of claim 8. In view of the amendments presented hereinabove, it is respectfully submitted that the Examiner's prior art rejections have been mooted.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and an early Notice to that effect is earnestly solicited.

Respectfully submitted,

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